

## PENAL CODE (AMENDMENT) ACT, 1982

No. 20



of 1982

### ARRANGEMENT OF SECTIONS

#### SECTION

1. Short title
2. Amendment of sections 142 and 143 of Cap.08:01
3. Amendment of section 235 of principal Act
4. Amendment of section 297 of principal Act
5. Amendment of section 298 of principal Act
6. Amendment of section 305 of principal Act
7. Amendment of section 306 of principal Act
8. Amendment of sections 307 and 308 of principal Act

#### **An Act to amend the Penal Code**

*Date of Assent: 28.9.82*

*Date of Commencement: 15.10.82*

**ENACTED** by the Parliament of Botswana.

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| Short title                                     | 1. This Act may be cited as the Penal Code (Amendment) Act, 1982.  |
| Amendment of sections 142 and 143 of Cap. 08:01 | 2. The Penal Code (hereinafter in this Act referred to as "the principal Act") is hereby amended in sections 142 and 143 thereof by substituting for the words "with or without corporal punishment" which appear in both sections, the words "with corporal punishment" in those two sections.  |
| Amendment of section 235 of principal Act       | 3. Section 235 of the principal Act is hereby amended by substituting for that section, the following new section-<br>"Grievous harm 235 Any person who unlawfully causes grievous harm to another by the use of any offensive weapon or any other means whatever is guilty of an offence and is liable to imprisonment for fourteen years, with corporal punishment."   |
| Amendment of section 297 of principal Act       | 4. Section 297 of the principal Act is hereby amended-<br>(a) in subsection (1) thereof by substituting for the words "to imprisonment for 14 years" which appear therein, the words "to imprisonment for 20 years, with corporal punishment";<br>and<br>(b) in subsection (2) thereof by substituting for the words "with or without corporal punishment" which appear therein, the words "with corporal punishment". |

Amendment  
of section 298  
of principal  
Act

5. Section 298 of the principal Act is hereby amended—
- (a) in subsection (1) thereof by substituting for the words “to imprisonment for seven years” which appear therein, the words “to imprisonment for 14 years, with corporal punishment”; and
  - (b) in subsection (2) thereof by substituting for the words “with or without corporal punishment” which appear therein, the words “with corporal punishment.”

Amendment  
of section  
305 of  
principal  
Act

6. Section 305 of the principal Act is hereby amended-
- (a) in subsection (1) thereof by substituting for the words “to imprisonment for ten years” which appear therein, the words “to imprisonment for ten years, with corporal punishment”; and
  - (b) in subsection (2) thereof by substituting for the words “with or without corporal punishment” which appear therein the words “with corporal punishment.”

Amendment  
of section 306  
of principal  
Act

7. Section 306 of the principal Act is hereby amended-
- (a) in subsection (1) thereof by substituting for the words “to imprisonment for seven years” which appear therein, the words “to imprisonment for seven years, with corporal punishment”; and
  - (b) in subsection (2) thereof by substituting for the words “to imprisonment for ten years” which appear therein, the words “to imprisonment for ten years, with corporal punishment.”

Amendment  
of sections  
307 and 308 of  
principal Act

8. Sections 307 and 308 of the principal Act are hereby amended by substituting for the words “to imprisonment for seven years” which appear in both sections, the words “to imprisonment for seven years, with corporal punishment” in those two sections.

PASSED by the National Assembly this 30th day of August, 1982

B.K. TEMANE,  
*Clerk of the National Assembly.*